

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA

Statesville Roofing & Building	)	CA: 4:17-cv-01946-RBH
Restoration, Inc.	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
FCCI Insurance Company	)	<b>NOTICE OF REMOVAL</b>
	)	
Defendant	)	

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To: The Honorable Judges of the U.S. District Court for the Western District of North Carolina:

1. A civil action was filed on July 28, 2017, and is now pending in the Superior Court of Iredell County, State of North Carolina, with the parties named in the caption of this document. That action is designated as Civil Action No.: 17-CVS-51815.
2. Defendant, FCCI, has previously filed a Declaratory Judgment action in the United States District Court for the District of South Carolina, Florence Division as it relates to this matter.
3. Defendant is now, was at the commencement of Civil Action No.: 17-CVS-51815, and at all times since has been a corporation organized and existing under the laws of the State of Florida having its principal place of business in the State of Florida. Defendant is a citizen of Florida and not of North Carolina.
4. Plaintiff is now, was at the commencement of Civil Action No.: 17-CVS-51815, and at all times since has been a corporation organized under the laws of North Carolina having its principal place of business in the State of North Carolina. Plaintiff is a citizen of North Carolina and not of Florida.

5. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 USC §§ 1332 and 1441, *et seq.*, in that there is complete diversity among the parties, the opposing Parties are not residents of the same State, and the amount in controversy exceeds \$75,000.00.
6. Defendant attaches hereto a copy of the Summons and Complaint filed in the Superior Court of Iredell County, North Carolina, marked respectively as Exhibits “A” and “B”.
7. This matter is being removed within 30 days of it becoming removable.
8. Defendant attaches hereto a copy of Defendants’ Notice of Removal which has been sent for filing in the Superior Court of Iredell County, North Carolina, marked as Exhibit “C”.

WHEREFORE, the Defendant prays that the above action now pending against it in the Superior Court of Iredell County, North Carolina, be removed to this Court.

This 22<sup>nd</sup> day of August, 2017.

GOODMAN MCGUFFEY LLP  
Attorneys for FCCI Insurance Co.

By: s/W. James Flynn  
W. JAMES FLYNN  
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UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NORTH CAROLINA

FCCI Insurance Company

Plaintiff,

v.

Statesville Roofing & Building  
Restoration, Inc.

Defendant

Civil Action

File No.: 4:17-cv-01946-RBH

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**CERTIFICATE OF SERVICE**

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This is to certify that on this date I electronically filed this Certificate of Service for the Notice of Removal with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Douglas G. Eisele, Esq.  
Eisele Ashburn Greene & Chapman, PA  
320 W. Broad Street  
Statesville, NC 28677

I also hereby certify that I have mailed by United States Postal Service to the attorneys listed above the document that is named in this Certificate of Service.

This 22<sup>nd</sup> day of August.

BY: s/W. JAMES FLYNN  
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